

105TH CONGRESS
2D SESSION

H. R. 3665

To amend the Family Violence Prevention and Services Act to improve and strengthen certain provisions.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 1998

Mrs. LOWEY introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Family Violence Prevention and Services Act to improve and strengthen certain provisions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Battered Women’s
5 Shelters and Services Act”.

6 **SEC. 2. FVPSA IMPROVEMENTS.**

7 (a) STATE DEMONSTRATION GRANTS.—Section
8 303(a)(2) of the Family Violence Prevention and Services
9 Act (42 U.S.C. 10402(a)(2)) is amended—

1 (1) by redesignating subparagraph (G) as sub-
2 paragraph (H); and

3 (2) by inserting after subparagraph (F) the fol-
4 lowing:

5 “(G) provide documentation, including memo-
6 randa of understanding, of the specific involvement
7 of the State domestic violence coalition and other
8 knowledgeable individuals and interested organiza-
9 tions, in the development of the application; and”.

10 (b) MINIMUM ALLOTMENT.—Section 304(a) of the
11 Family Violence Prevention and Services Act (42 U.S.C.
12 10403(a)) is amended—

13 (1) by inserting after “grant authorized under
14 section 303(a)” the following: “\$500,000, with the
15 remaining sums to be allotted to each State in”; and

16 (2) by striking “except that—” and all that fol-
17 lows and inserting the following: “except that Guam,
18 American Samoa, the Virgin Islands, the Northern
19 Mariana Islands, and the Trust Territory of the Pa-
20 cific Islands shall each be allotted not less than one-
21 eighth of 1 percent of the amounts available for
22 grants under section 303(a) for the fiscal year for
23 which the allotment is made.”.

1 (c) REALLOTMENT.—Section 304(d) of the Family
2 Violence Prevention and Services Act (42 U.S.C.
3 10403(d)) is amended—

4 (1) in paragraph (1)—

5 (A) by inserting after “to such State in
6 grants under section 303(a)” the following: “or
7 to Indian tribes, tribal organizations, or other
8 entities under section 303(b)”;

9 (B) by inserting after “failure of such
10 State” the following: “and Indian tribes, tribal
11 organizations, and other entities”;

12 (C) by inserting after “such amount to
13 States” the following: “or Indian tribes, tribal
14 organizations, or other entities”; and

15 (D) by inserting after “which meet such
16 requirements” the following: “in proportion to
17 the original allocation made under subsection
18 (a) or (b) of section 303, respectively”; and

19 (2) by redesignating paragraph (2) as para-
20 graph (3) and inserting after paragraph (1) the fol-
21 lowing:

22 “(2) If, at the end of the sixth month of any fiscal
23 year for which sums are appropriated under section 310,
24 the amount allotted to an entity has not been avail-
25 able to such entity in grants under section 308 or 311

1 because of the failure of such entity to meet the require-
2 ments for a grant or because the limitation on expenditure
3 has been reached, the Secretary shall reallocate such amount
4 to States and Indian tribes, tribal organizations, and other
5 entities that meet such requirements in proportion to the
6 original allocation made under subsection (a) or (b) of sec-
7 tion 303, respectively.”

8 (d) SECRETARIAL RESPONSIBILITIES.—Section
9 305(a) of the Family Violence Prevention and Services Act
10 (42 U.S.C. 10404(a)) is amended—

11 (1) by striking “an employee” and inserting
12 “one or more employees”;

13 (2) by striking “title.” and inserting “title, in-
14 cluding evaluation and monitoring.”; and

15 (3) by striking “individual” and inserting “indi-
16 viduals”.

17 (e) GRANTS FOR INFORMATION AND TECHNICAL AS-
18 SISTANCE CENTERS.—Section 308(a)(2) of the Family Vi-
19 olence Prevention and Services Act (42 U.S.C.
20 10407(a)(2)) is amended—

21 (1) by inserting “on providing training and
22 technical assistance” after “focusing”; and

23 (2) by adding at the end the following: “The
24 Secretary may award grants to nonprofit, non-
25 governmental organizations for technical assistance

1 and training initiatives on the subject identified in
2 subsection (c), if such initiatives do not duplicate the
3 work of the entities funded under subsection (c) and
4 if the total amount awarded for such initiatives does
5 not exceed \$500,000.”

6 (f) SPECIAL ISSUE RESOURCE CENTERS.—Section
7 308(c) of the Family Violence Prevention and Services Act
8 (42 U.S.C. 10407(c)) is amended—

9 (1) by striking “service providers,” and insert-
10 ing “service providers on emerging issues in domes-
11 tic violence service, prevention, or law,”;

12 (2) by striking “areas of domestic violence serv-
13 ice, prevention, or law:” and inserting “areas:”;

14 (3) by adding the end the following new para-
15 graphs:

16 “(8) Providing technical assistance and training
17 to local domestic violence programs that provide
18 shelter or related assistance.

19 “(9) Improving access to services, information,
20 and training within Indian tribes and tribal organi-
21 zations.

22 “(10) Responding to emerging issues in the
23 field of domestic violence that the Secretary may
24 identify in consultation with advocates representing
25 local programs providing shelter or related assist-

1 ance, State domestic violence coalitions, and national
2 domestic violence organizations.”; and

3 (4) by inserting after paragraph (10), as added
4 by paragraph (3), the following:

5 “Nothing in this section shall prohibit the Secretary from
6 making multiple grants to any nonprofit, nongovernmental
7 entity to fulfill the purposes of this section.”.

8 (g) REPORTING.—Section 308(e) of the Family Vio-
9 lence Prevention and Services Act (42 U.S.C. 10407(e))
10 is amended by adding at the end the following: “Not later
11 than 90 days after the date of the enactment of the Bat-
12 tered Women’s Shelters and Services Act, each entity re-
13 ceiving a grant under this section shall prepare and submit
14 a report to the Secretary that evaluates the effectiveness
15 of the use of amounts received under the grants by the
16 entity and containing such other information as the Sec-
17 retary may prescribe. The Secretary shall publish any such
18 reports and provide at least 90 days for notice and oppor-
19 tunity for public comment prior to awarding or renewing
20 any such grant.”.

21 (h) AUTHORIZATION OF APPROPRIATIONS FOR
22 GRANTS UNDER SECTION 308.—Section 310(c) of the
23 Family Violence Prevention and Services Act (42 U.S.C.
24 10409(c)) is amended by inserting after “for each fiscal
25 year,” the following: “the lesser of \$7,500,000 or”.

1 (i) GRANTS FOR STATE COALITIONS.—Section
2 310(d) of the Family Violence Prevention and Services Act
3 (42 U.S.C. 10409(d)) is amended—

4 (1) by striking “not less than” and inserting
5 “the lesser of \$22,000,000 or”; and

6 (2) by adding at the end the following: “At
7 such time as the appropriation under this subsection
8 exceeds \$11,000,000, the Secretary shall designate
9 that of the amounts appropriated under this sub-
10 section up to 20 percent of such funds shall be made
11 available in the amounts necessary to State domestic
12 violence coalitions for the specific purpose of provid-
13 ing technical assistance, training, and direct assist-
14 ance in the areas specified in section ____ or for
15 such other priorities that may be determined by the
16 Secretary in consultation with State domestic vio-
17 lence coalitions and programs that provide shelter or
18 related assistance.”.

19 (j) GRANTS FOR STATE DOMESTIC VIOLENCE COALI-
20 TIONS.—Section 311 of the Family Violence Prevention
21 and Services Act (42 U.S.C. 10410) is amended by adding
22 at the end the following:

23 “(i) MODEL LEADERSHIP GRANTS; DIRECT EMER-
24 GENCY ASSISTANCE; TECHNICAL ASSISTANCE AND
25 TRAINING.—

1 “(1) IN GENERAL.—For any fiscal year for
2 which the amount made available to carry out this
3 section exceeds \$11,000,000, the Secretary shall use
4 not more than 20 percent of such available amount
5 to award grants to State domestic violence coalitions,
6 consistent with paragraphs (2) through (4), or
7 in accordance with such other requirements and priorities
8 as may be determined by the Secretary in
9 consultation with State domestic violence coalitions
10 and programs that provide shelter or related assistance.
11 ance.

12 “(2) MODEL LEADERSHIP GRANTS FOR DOMESTIC
13 VIOLENCE INTERVENTION IN UNDERSERVED
14 COMMUNITIES.—

15 “(A) IN GENERAL.—The Secretary may
16 award grants for up to 3 years to not more
17 than 10 State domestic violence coalitions, and
18 not more than 10 local domestic violence programs
19 providing shelter or related assistance, to
20 develop model strategies to address domestic violence
21 in underserved populations (as that term
22 is defined in section 2003 of the Omnibus
23 Crime Control and Safe Streets Act of 1968
24 (42 U.S.C. 3796gg-2)). Such grants shall be
25 used to assess the needs of underserved popu-

lations in the State, build collaborative relationships with community-based organizations serving underserved populations, and develop and implement model community intervention strategies to decrease the incidence of domestic violence in underserved populations.

“(B) ELIGIBILITY.—To be eligible for a 1-year model leadership grant under this paragraph, an applicant shall demonstrate—

“(i) a plan for assessing the needs of underserved populations and identifying a specific population for development of an intervention strategy in year 1 of the grant; and

“(ii) inclusion of representatives from community-based organizations in underserved communities in planning, designing, and disseminating the needs assessment instruments.

“(C) ELIGIBILITY FOR CONTINUED FUNDING.—To be eligible for continued funding of up to 2 additional years, an applicant shall provide—

“(i) a plan for implementing the model strategies which includes collabo-

1 rative partnerships with community-based
2 organizations within the underserved popu-
3 lations identified; and

4 “(ii) a plan for disseminating the
5 model strategy throughout the State or to
6 other States during year 3 of the grant.

7 “(D) PRIORITY FOR COLLABORATIVE
8 FUNDING.—In awarding grants under this
9 paragraph, the Secretary shall give preference
10 to State domestic violence coalitions and local
11 domestic violence shelters and programs that
12 submit applications in collaboration with com-
13 munity-based organizations serving underserved
14 populations. A grant may not be made under
15 this subparagraph in an amount less than
16 \$100,000 for each fiscal year.

17 “(3) DIRECT EMERGENCY ASSISTANCE TO VIC-
18 TIMS OF DOMESTIC VIOLENCE.—

19 “(A) IN GENERAL.—The Secretary may
20 award grants to each State domestic violence
21 coalition for the purpose of administering an
22 emergency assistance fund for victims of domes-
23 tic violence. Funds received under this para-
24 graph may be used only to provide emergency
25 assistance directly to victims of domestic vio-

1 lence who are in the process of fleeing an abu-
2 sive situation. Emergency assistance shall in-
3 clude transportation, housing, and other ex-
4 penses associated with relocation. Funds shall
5 be made available to domestic violence shelters
6 and programs on behalf of victims.

7 “(B) APPLICATION.—Prior to receipt of
8 emergency assistance funds under this section,
9 a State domestic violence coalition shall provide
10 to the Secretary—

11 “(i) a detailed description of the proc-
12 ess for receiving and reviewing applications
13 for emergency assistance;

14 “(ii) a detailed description of the
15 process for notifying domestic violence
16 shelters and programs about the availabil-
17 ity of emergency assistance funds;

18 “(iii) an application form that in-
19 cludes the type of assistance requested, a
20 statement of need for the funds, a state-
21 ment about the impact of the funds on the
22 victim’s ability to escape domestic violence,
23 and other such information that would be
24 helpful in disbursing emergency assistance
25 funds;

1 “(iv) the process that will be used to
2 make payments to recipients; and

3 “(v) a statement of procedures that
4 will be used to protect the confidentiality
5 of recipients.

6 “(C) REPORTING.—A State domestic vio-
7 lence coalition receiving a grant under this
8 paragraph shall file an annual report to the
9 Secretary describing the distribution of funds to
10 victims of domestic violence by type and
11 amount of assistance provided. For reasons of
12 safety and confidentiality, such report shall not
13 contain individually identifying information.

14 “(4) TECHNICAL ASSISTANCE AND TRAINING
15 FOR STATE AND LOCAL DOMESTIC VIOLENCE PRO-
16 GRAMS.—

17 “(A) IN GENERAL.—The Secretary may
18 award grants to a State domestic violence coali-
19 tion (or multiple coalitions) for the purpose of
20 providing training and technical assistance for
21 State domestic violence coalitions and other
22 nonprofit, nongovernmental State and local do-
23 mestic violence programs. Funds received under
24 this paragraph shall be used to conduct regional
25 training and technical assistance initiatives to

1 be developed and implemented by a nonprofit,
2 nongovernmental State domestic violence coali-
3 tion or coalitions within each of the regions ad-
4 ministered by the Department of Health and
5 Human Services. Funds shall be used to
6 prioritize, plan, and implement solutions to re-
7 gional problems experienced by domestic vio-
8 lence coalitions and programs providing shelter
9 or related assistance within the region.

10 “(B) ELIGIBILITY.—To be eligible for a
11 grant under this paragraph, a State domestic
12 violence coalition shall demonstrate that it has
13 the support of the majority of State domestic
14 violence coalitions within the region and shall
15 have its principal place of operation within the
16 region. Nothing in this paragraph shall be con-
17 strued to prohibit domestic violence programs
18 within Indian tribes from receiving technical as-
19 sistance and training under this paragraph.
20 Grantees shall be encouraged to work in col-
21 laboration with domestic violence advocates and
22 organizations outside of the region, and with
23 the national resource center and special issue
24 resource centers established under section 308,

1 in order to gain expertise in delivering training
2 and technical assistance within the region.

3 “(C) REPORTING.—A State domestic vio-
4 lence coalition receiving a grant under this
5 paragraph shall file an annual report to the
6 Secretary describing the recipients of the tech-
7 nical assistance and training provided under
8 this paragraph and the type of technical assist-
9 ance and training provided.”.

10 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR FAMILY**
11 **VIOLENCE PREVENTION AND SERVICES.**

12 (a) IN GENERAL.—Section 310(a) of the Family Vio-
13 lence Prevention and Services Act (42 U.S.C. 10409(a))
14 is amended to read as follows:

15 “(a) IN GENERAL.—There are authorized to be ap-
16 propriated to carry out this title—

17 “(1) \$120,000,000 for fiscal year 1999;

18 “(2) \$160,000,000 for fiscal year 2000;

19 “(3) \$200,000,000 for fiscal year 2001;

20 “(4) \$260,000,000 for fiscal year 2002; and

21 “(5) \$260,000,000 for fiscal year 2003.”.

22 (b) SECTION 308.—Section 310(c) of the Family Vio-
23 lence Prevention and Services Act (42 U.S.C. 10409(c))
24 is amended by inserting after “for each fiscal year,” the
25 following: “the lesser of \$7,500,000 or”.

1 (c) GRANTS FOR STATE COALITIONS.—Section
2 310(d) of the Family Violence Prevention and Services Act
3 (42 U.S.C. 10409(d)) is amended—

4 (1) by striking “Of the amounts” and inserting
5 “Subject to section 311(i), of the amounts”; and

6 (2) by striking “not less than” and inserting
7 “the lesser of \$22,000,000 or”.

8 (d) EVALUATION, MONITORING, AND ADMINISTRA-
9 TION.—Section 310 of the Family Violence Prevention
10 and Services Act (42 U.S.C. 10409) is amended—

11 (1) by redesignating subsection (e) as sub-
12 section (f); and

13 (2) by inserting after subsection (d) the follow-
14 ing:

15 “(e) EVALUATION, MONITORING, AND ADMINISTRA-
16 TION.—Of the amounts appropriated under subsection (a)
17 for each fiscal year, not less than \$1,200,000 shall be used
18 in carrying out this title for Federal evaluation, monitor-
19 ing, and administrative costs.”.

○